

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 * * *

4 LAUSTEVEION JOHNSON,

5 Plaintiff,

6 v.

7 CHARLES DANIELS, *et al.*,

8 Defendants.
9

Case No. 3:21-CV-00454-ART-CLB

**ORDER DENYING WITH LEAVE TO
REFILE MOTION TO COMPEL AND
GRANTING MOTION TO STAY
PROCEEDINGS**

[ECF Nos. 24, 27]

10 Before the Court is Plaintiff Lausteveion Johnson's ("Johnson") motion to stay
11 proceedings, (ECF No. 27), and motion to compel, (ECF No. 24).

12 According to Johnson's motion to stay, he was granted parole and will be released
13 from prison between April 23, 2023 and April 30, 2023, and will not have access to his
14 legal materials for a period of time. (ECF No. 27 at 2.) Thus, Johnson asks the Court to
15 stay his case until May 20, 2023. (*Id.*)

16 It is well established that district courts have the inherent power to control their
17 dockets and manage their affairs; this includes the power to strike or deny motions to
18 streamline motion practice and promote judicial efficiency. *Ready Transp., Inc. v. AAR*
19 *Mfg., Inc.*, 627 F.3d 402, 404–05 (9th Cir. 2010); *Landis v. N. Am. Co.*, 299 U.S. 248, 254
20 (1936). Additionally, "the power to stay proceedings is incidental to the power inherent in
21 every court to control the disposition of the causes on its docket with economy of time
22 and effort for itself, for counsel, and for litigants." *Landis*, 299 U.S. at 254. When
23 exercising that discretion, courts are guided by the goals of securing the just, speedy, and
24 inexpensive resolution of actions. See FED. R. CIV. P. 1.

25 To that end, the Court considers several articulated factors when deciding whether
26 to stay a case: "the competing interests which will be affected by the granting or refusal
27 to grant a stay must be weighed" including the possible damage which may result from
28 the granting of a stay, the hardship or inequity which a party may suffer in being required

1 to go forward, and the orderly course of justice measured in terms of the simplifying or
2 complicating of issues, proof, and questions of law which could be expected to result from
3 a stay.” *CMAX, Inc. v. Hall*, 300 F.2d 265, 268 (9th Cir. 1962).

4 The Court has considered these factors and finds, in the exercise of its sound
5 discretion, that a brief stay of these proceedings until **June 15, 2023** is appropriate.

6 The Court additionally notes that pursuant to Nevada Local Rule of Practice IA 3-
7 1, a “pro se party must immediately file with the court written notification of any change of
8 mailing address ... Failure to comply with this rule may result in the dismissal of the
9 action, entry of default judgment, or other sanctions as deemed appropriate by the court.”
10 Nev. Loc. R. IA 3-1. Thus, Johnson must file his notice of change of address once he has
11 been released from custody.

12 Finally, Johnson’s motion to compel, (ECF No. 24), is denied with leave to refile. If
13 Johnson chooses to refile his motion to compel, he should be mindful to not include items
14 that Defendants represent have already been turned over. (See ECF No. 25).

15 For good cause appearing, **IT IS ORDERED** that Johnson’s motion to stay
16 proceedings, (ECF No. 27), is **GRANTED**.

17 **IT IS FURTHER ORDERED** that this action is **STAYED** until **June 15, 2023**, at
18 which point the stay shall be automatically lifted.

19 **IT IS FURTHER ORDERED** that Johnson shall file, as soon as practicable, his
20 updated address with the Court.

21 **IT IS FURTHER ORDERED** that Johnson’s motion to compel, (ECF No. 24), is
22 **DENIED with leave to refile**, following the lifting of the stay.

23 **IT IS SO ORDERED.**

24 **DATED:** April 12, 2023.



UNITED STATES MAGISTRATE JUDGE